

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JERRELL MILLER,

Plaintiff,

-against-

ROBERT GREEN, Shield #1312,
Correction Officer

Defendant.
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AMON, United States District Judge:

NOT FOR PUBLICATION
ORDER

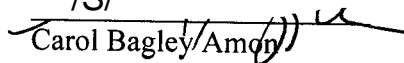
05-CV-2548 (CBA) (LB)

This Court received Magistrate Judge Lois Boom's well-reasoned Report and Recommendation ("R&R") dated December 22, 2009, recommending that defendant's motion to dismiss be granted and plaintiff's case be dismissed pursuant to Federal Rules of Civil Procedure 16(f) and 37(b)(2)(A)(v).

As no party has objected,¹ the Court hereby adopts the Report and Recommendation of December 22, 2009 as the opinion of the Court. The Clerk of the Court is directed to enter judgment in accordance with this order and to close the case.

SO ORDERED.

Dated: Brooklyn, New York
January 26, 2010

/S/

Carol Bagley Amon
United States District Judge

¹ See R&R at 1 n.1 (noting that plaintiff, a pro se litigant, who was released from Downstate Correctional Facility on December 10, 2009, has not updated the Court with his current address and it is his responsibility to keep the Court informed of his current address.) Because plaintiff has failed to provide the Court with a change of address and has missed the deadline for filing any objections to the R&R, the Court may deny him relief. See Thomas v. Shaver, 2009 WL 935706, at *2 (E.D.N.Y. Apr. 7, 2009); Dong v. United States, 2004 WL 385117, at *3 (S.D.N.Y. Mar. 2, 2004).